

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY	
RAS Citron, LLC 130 Clinton Road, Suite 202 Fairfield, NJ 07004 Telephone Number 973-575-0707 Attorneys For Secured Creditor Harold Kaplan, Esq. (HK-0226)	CASE NO.: 18-29602-CMG CHAPTER 13 Objection to Confirmation of Debtor's Chapter 13 Plan
In Re: Cynthia A Harris, Debtor.	

OBJECTION TO CONFIRMATION OF DEBTOR'S CHAPTER 13 PLAN

NATIONSTAR MORTGAGE LLC D/B/A MR. COOPER ("Secured Creditor"), by and through its undersigned counsel, objects to confirmation of Debtor's Chapter 13 Plan (DE # 4), and states as follows:

1. Debtor, Cynthia A Harris, ("Debtor"), filed a voluntary petition pursuant to Chapter 13 of the Bankruptcy Code on October 2, 2018.
2. Secured Creditor holds a security interest in the Debtor's real property located at 505 WILLIAM STREET, TRENTON, NJ 08610, by virtue of a Mortgage recorded on April 11, 2007 in Book 9800, at Page 713 of the Public Records of Mercer County, NJ. Said Mortgage secures a Note in the amount of \$200,000.00.
3. The Debtor filed a chapter 13 plan on October 2, 2018.
4. The Plan includes payments toward the Note and Mortgage with Secured Creditor, however the figures used by the Debtor are inaccurate. It is anticipated that Secured Creditor's claim will show the pre-petition arrearage due Secured Creditor is \$6,672.93, whereas the Plan proposes to pay only \$3,243.00. Therefore, the Plan is not in compliance with the requirements of 11 U.S.C. §§ 1322(b)(3) and 1325(a)(5) and cannot be confirmed. Secured Creditor objects to any plan which proposes to pay it anything less than \$6,672.93 as the pre-petition arrearage over the life of the plan.

5. The Plan does not appear feasible due to inadequate treatment of Secured Creditor's claim. Thus, the plan violates the provisions of 11 U.S.C. § 1325(a)(3) and cannot be confirmed.

WHEREFORE, Secured Creditor respectfully requests this Court sustain the objections stated herein and deny confirmation of Debtor's Plan, and for such other and further relief as the Court may deem just and proper.

RAS Citron, LLC
Attorney for Secured Creditor
130 Clinton Road, Suite 202
Fairfield, NJ 07004
Telephone Number 973-575-0707

By: /s/Harold Kaplan
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CERTIFICATION OF SERVICE

1. I, Harold Kaplan, represent NATIONSTAR MORTGAGE LLC D/B/A MR. COOPER in this matter.
2. On 10/31/2018, I caused a copy of the following pleadings and/or documents to be sent to the parties listed in the chart below.
3. I certify under penalty of perjury that the above documents were sent using the mode of service indicated.

10/31/2018

RAS Citron, LLC
Attorney for Secured Creditor
130 Clinton Road, Suite 202
Fairfield, NJ 07004
Telephone Number 973-575-0707

By: /s/Harold Kaplan
Harold Kaplan, Esquire
NJ Bar Number HK-0226
Email: hkaplan@rasnj.com

<u>Name and Address of Party Served</u>	<u>Relationship of Party to the Case</u>	<u>Mode of Service</u>
Stephanie F. Ritigstein Jenkins and Clayman 412 White Horse Pike Audubon, NJ 08106	Attorney for Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other (as authorized by the court*)
Cynthia A Harris 505 William Street Trenton, NJ 08610	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other (as authorized by the court*)
Albert Russo Standing Chapter 13 Trustee CN 4853 Trenton, NJ 08650-4853	Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other (as authorized by the court*)
U.S. Trustee US Dept of Justice Office of the US Trustee One Newark Center Ste 2100 Newark, NJ 07102	U.S. Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other (as authorized by the court*)